

**LAW OFFICES**  
**FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.**  
Stanford Research Park  
700 Hansen Way  
Palo Alto, CA 94304

Telephone  
(650) 849-6600

Facsimile  
(650) 849-6666

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**FACSIMILE TRANSMITTAL**

**TO**

**Name:** OFFICE OF INITIAL PATENT  
EXAMINATION/CUSTOMER  
SERVICE

**Firm:** U.S. Patent and Trademark Office

**Fax No.:** 1-703-746-9195

**Phone No.:** 1-703-308-1202

**Subject:** Request For Corrected Filing  
Receipt

**Your File No.:** USSN 10/693,609

**FROM**

**Name:** Danielle M. Pasqualone

**Phone No.:** 650-849-6778

**Fax # Verified by:** Gina Simon

**# Pages (incl. this):** 7

**Date:** June 28, 2004

**Our File No.:** 07414.0075-00000

**Confirmation Copy to Follow: No**

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**Message:**

**Attention: OFFICE OF INITIAL PATENT EXAMINATION/  
CUSTOMER SERVICE**

U.S. Application Serial No. 10/693,609

Inventors: Ernest FRIEDLANDER et al.

Filed: October 23, 2003 (petition granted for this date)

Title: METHODS AND COMPOSITION FOR DETECTING TARGETS

Pursuant to discussion with Petition Attorney Cliff Congo, we attach the following documents:

1. Request For Corrected Filing Receipt (2 pages)
2. Marked-up copy of incorrect Corrected Filing Receipt (2 pages); and
3. Copy of a Decision on Petition, mailed June 14, 2004.

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being sent via facsimile on June 28, 2004, Office of Initial Patent Examination/Customer Service, at facsimile number (703) 746-9195, located at the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Gina Simon**PATENT**

Customer No. 22,852

Attorney Docket No. 07414.0075-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Ernest FRIEDLANDER et al.

Application No.: 10/693,609

Correct Filing Date: October 23, 2003  
(petition granted for this date)For: METHODS AND COMPOSITION  
FOR DETECTING TARGETSCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

) Group Art Unit: 1645

) Examiner: Not yet assigned

Sir:

**REQUEST FOR CORRECTED FILING RECEIPT**

We enclose a marked-up copy of the Corrected Filing Receipt for the above-identified patent application. The Corrected Filing Receipt indicates that the filing date is October 24, 2003. That filing date is incorrect. The correct filing date is October 23, 2003, as indicated in ink on the marked-up copy. We enclose a copy of a decision from the Office of Petitions, which grants our Petition for a corrected filing date of October 23, 2003. (Decision at page 2.)

PATENT

Attorney Docket No. 07414.0075-00000


Additionally, the Corrected Filing Receipt does not show the domestic priority data for this application. That information is also indicated in ink on the marked-up copy. The decision from the Office of Petitions indicates that a claim for priority to Provisional Application No. 60/421,035, filed October 23, 2002, should be entered in this application. (*Id.*)

Applicants respectfully request that a corrected Filing Receipt be issued as soon as possible.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 28, 2004

By:   
Danielle M. Pasqualone  
Reg. No. 43,847  
Customer No. 22,852



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/693,609	<del>10/24/2003</del> 10/23/2003	1645	3056	07414.0075-00000	14	55	9

Paul Barker  
Finnegan, Henderson, Farabow,  
Garrett & Dunner, L.L.P.  
1300 I Street, N.W.  
Washington, DC 20005-3315

CONFIRMATION NO. 6477  
CORRECTED FILING RECEIPT  
\*OC000000012924124\*  
\*OC000000012924124\*

Date Mailed: 06/10/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Ernest Friedlander, San Francisco, CA;  
Shirley J. Johnson, San Francisco, CA;  
Sabine Short, Dublin, CA;  
H. Michael Wenz, Redwood City, CA;

## Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/421,035 10/23/2002  
Foreign Applications

UNITED STATES OF AMERICA PCT/US02/33801 10/23/2002

If Required, Foreign Filing License Granted: 02/06/2004

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

## Title

Methods and composition for detecting targets

Preliminary Class

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



## UNITED STATES PATENT AND TRADEMARK OFFICE

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PAUL BARKER  
FINNEGAN HENDERSON FARABOW  
GARRETT & DUNNER LLP  
1300 I STREET NW  
WASHINGTON DC 20005-3315

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JUN 14 2004

OFFICE OF PETITIONS

In re Application of  
Friedlander, et al.  
Application No. 10/693,609  
Filed: October 23, 2003  
Attorney Docket No. 07414.0075-  
00000

ON PETITION

This is a decision on the "PETITION UNDER 37 CFR 1.10(c) TO CORRECT FILING DATE AND REQUEST FOR CORRECTED FILING RECEIPT", filed March 30, 2004 (certificate of transmittal dated March 9, 2004), to accord the above-identified application a filing date of October 23, 2003.

The petition is **GRANTED**.

Petitioner argues that the above-identified application was filed on October 31, 2003, not October 24, 2003. In support thereof, petitioner has included a copy of an Express Mail mailing label, bearing Express Mail number EV 3351294240 US, and containing a date-in entry and a USPS stamp dated October 23, 2003.

Application No. 10/693,609

Page 2

37 CFR 1.10(c) states that any person filing correspondence under 37 CFR 1.10, who can show that there is a discrepancy between the filing date accorded by the Office and the date of deposit as shown by the "date-in" on the Express Mail mailing label, may petition the Office to accord the correspondence a filing date as of the "date-in" on the Express Mail mailing label, provided:

(1) The petition is filed promptly after the person becomes aware that the Office has accorded, or will accord, a filing date other than the USPS deposit date;

(2) The number of the "Express Mail" mailing label was placed on the paper(s) or fees(s) that constitute the correspondence prior to the original mailing by "Express Mail";

(3) The petition includes a true copy of the "Express Mail" mailing label showing the "date-in," and of any other official notation by the USPS relied upon to show the date of deposit.

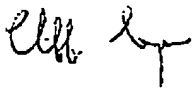
Here, petitioner has met requirements (1), (2), and (3) above.

In view of the above, the application is entitled to a filing date of October 23, 2003.

Given the basis for granting this petition, no petition fee was required, and none has been charged.

The application file is being forwarded to the Office of Initial Patent Examination for further processing with a filing date of October 23, 2003, not October 24, 2003, and for entering of the claim for priority to provisional application no. 60/421,035, filed October 23, 2002.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 305-0272.



Cliff Congo  
Petitions Attorney  
Office of Petitions

Enc: corrected filing receipt (2 pages)